

BLUFFTON TOWN COUNCIL MEETING MINUTES
FEBRUARY 9, 2010

Mayor Sulka called the meeting to order at 6:00 p.m. Council members present were Brown, Hamilton, Mitchell and Raymond. Town Manager Barrett, Assistant Town Managers Freeman, Fletcher and Orlando and Town Attorney Finger were also in attendance.

Pledge to the Flag and invocation was given.

Adoption of Agenda:

Mitchell moved to approve the agenda as presented. Brown seconded. The motion carried unanimously.

Adoption of Minutes:

Mitchell moved to adopt the minutes of January 12, 2010 as presented. Brown seconded. The motion carried unanimously.

Public Comments:

There were none.

Communications from Mayor and Council:

- a. Mayor Sulka congratulated the Bluffton High School Wrestling Team for securing its place in the Lower State Final on January 27th.
- b. Hamilton encouraged the residents to participate in the 2010 Census.
- c. Raymond stated the Bluffton Township Fire District received a \$211,000 grant from FEMA and the National Department of Homeland Security to enable the purchase of Self Contained Breathing Apparatus, spare cylinders and masks. The masks will have tracking and alert systems.
- d. Mitchell stated she attended the Lowcountry Economic meeting where the Charleston Boeing plant and high tech jobs were discussed. She also stated the Chamber will host a luncheon at Hampton Hall that will outline the Boeing Plant.

Presentations, Recognitions and Celebrations:

- a. Mayor Sulka read the Coastal Carolina Council Boys Scouts of America Proclamation.
- b. Chief McAllister recognized Officer Babkiewicz's promotion to rank of Sergeant.
- c. Chief McAllister announced that Lt. Angel Tubbs would be attending the Federal Bureau of Investigation School in Quantico, Virginia.

Public Hearing and Final Reading:

- a. Amendment to the Town of Bluffton Unified Ordinance, Article 4 and Article 9, to address Adult Oriented Uses:

Public hearing opened at 6:10 p.m.

Rhodes stated that Staff and Planning Commission recommended the adoption of an amendment to the Bluffton Unified Ordinance that is intended to regulate Adult Oriented Businesses in the Town of Bluffton. The proposed language provides clear guidance on where Adult Oriented Businesses are allowed, what standards need to be followed, and how the Town is defining this use.

There were no public comments. Public hearing closed at 6:13 p.m.

Brown moved to have final reading to adopt the amendment to the Unified Ordinance to address Adult Oriented uses. Raymond seconded. The motion carried unanimously.

Staff Reports:

- a. Police – Chief McAllister was available for questions and comments. He also stressed residents should call 911 when they need assistance.
- b. Finance/Administration – Freeman was available for questions and comments.
- c. Engineering – Fletcher discussed the continuance of working with County and State on road sales tax priorities and potential alternate funding sources; Maiden Lane's sewer project; and the Verdier Cove Drainage Basin activities.
- e. Growth Management – Orlando gave an overview of the Water Quality Technical Advisory Committee; May River Waterbody Management Plan Implementation Committee; Wayfinding Design RFP; May River Watershed Action Plan; May River Clean (commended Kim Jones on her efforts); and the increase of building permits in the Office of Construction and Compliance.
- f. Human Resources – Hershey was available for questions and comments.

ATAX Advisory Committee's Recommendations:

Freeman gave an overview of the ATAX Advisory Committee's recommendations.

Raymond moved to approve the following recommendations: 1) Bluffton Historical Preservation Society for \$25,000; 2) Farmers Market of Bluffton for \$9,000; 3) Historic Bluffton Arts & Seafood Festival for \$5,000; 4) May River Theatre Co. for \$5,000; and 5) Old Town Merchants Society for \$7,000. The total for recommendations was \$51,000. Hamilton seconded. The motion carried unanimously.

FY 2010 Budget Amendment – Final Reading:

Freeman stated the budget amendment will increase the General Fund Budget from \$10,875,410 to \$11,418,950 and decrease the Capital Projects Fund Budget from \$11,497,000 to \$9,943,655. **Mitchell moved to have final reading to adopt the budget amendment as presented. Brown seconded. The motion carried unanimously.**

Ordinance Authorizing the Issue and Sale of Not to Exceed \$6,500,000 General Obligation Bonds, Series 2010, or Such Other Appropriate Series Designation for the Law Enforcement Center – First Reading:

Freeman and Bond Attorney Frannie Heizer gave an overview on the bond process. They also discussed the attachments "Form of Bond", "Form of Notice of Sale"; and "Form of Continuing the Disclosure Certificate". Staff will work with Heizer and the Financial Advisor to provide the details of the proposed bond issue prior to final reading. **Mitchell moved to have first reading on the ordinance authorizing the issue and sale of not to exceed \$6,500,000 General Obligation Bonds. Raymond seconded. The motion carried unanimously.**

Financial Advisors Services RFP Award:

Freeman stated the Town is in need of a firm to serve as Financial Advisory for developing and structuring bond issues and financial transactions, including, the tax aspects thereof; advising on dealings with underwriters; assisting with efforts to obtain credit ratings; and sale and marketing of bonds. Staff is recommending the firm of Ross, Sinclair and Associates. They were selected as a result of a Request for Proposal issued on November 23, 2009. **Hamilton moved for the Town Manager to execute a three year contract with Ross, Sinclair and Associates for Financial Advisory Services. Brown seconded. The motion carried unanimously.**

Special Events Ordinance – First Reading:

Malone stated the ordinance will provide a clearer and consistent application submittal and processing; streamlined and consistent coordination and approval by multiple approval entities; improved participant and sponsor safety; and clear framework allowing Law Enforcement to correct unsecured or unsafe situations.
(continued on next page)

Special Events Ordinance – First Reading – Continued:

Raymond moved to have first reading with the following amendments:

1) Sec. 22-105, (4) – to rewrite for a clearer statement regarding preventing a citizen’s right to assemble and free speech; 2) Sec. 22-110, (a) – in first sentence – to delete *attempts* and insert *holds*, and 3) Sec. 22 – 111, (a) (2) – to delete second and third sentences, leaving the first sentence. Mitchell seconded. The motion carried unanimously.

Amendment to the Town of Bluffton Municipal Code, Chapter 5, Article 9, Unsafe, Uninhabited Buildings/Structures – First Reading:

Hodge stated the amendment provides definitions for abatement, public nuisance as it relates to the ordinance and unsafe, uninhabited structures and designates the building official as the party responsible for enforcement of the regulations. Passage of this amendment will provide a means for the Town to abate structures that pose a nuisance which can degrade residential and business areas within the Town by a condition of blight and deterioration that affect the health, safety, sanitary and /or economic value of properties. **Mitchell moved to have first reading on the Ordinance amendment that includes the additional requirements and procedures for unsafe, uninhabited buildings and structures. Brown seconded. The motion carried unanimously.**

Adoption of Resolution Allowing Construction of Hwy 278 Improvements by the State of South Carolina Department of Transportation Within Town Limits:

Fletcher stated the Hwy 278 improvements will include widening from four lanes to six lanes from Simmonsville Road westerly to SC 170. The work will include additional asphalt on the inside of the road narrowing the median to minimize Right-of-Way acquisition. The State is requesting the Town to approve the Municipal Agreement for this construction through a resolution that would allow the State to seek funds through the American recovery and Reinvestment Act. **Raymond moved to approve the resolution allowing construction of Hwy 278 improvements. Mitchell seconded. The motion carried unanimously.**

Approval to Transfer Wharf Street Right-of-Way from South Carolina Department of Transportation Ownership to the Town of Bluffton:

Fletcher stated that taking over ownership the portion of Wharf Street which runs through Oyster Factory Park would allow Oyster Factory park Phase 1 enhancements to proceed. Phase 1 includes improvements to existing stormwater runoff conditions and is consistent with the Town's mission to protect the May River. **Brown moved to approve the transfer of Wharf Street Right-of-Way from SC Department of Transportation Ownership to the Town of Bluffton. Mitchell seconded. The motion carried unanimously.**

Presentation Regarding Tree Trimming:

SCE&G District Manager David Temple and Coastal Region Urban Forester of SC Forestry Commission Francis Waite gave an overview of the general rules and reasons, and the methods of pruning trees that may cause outages.

Neighborhood Services Unit:

Sgt. Charron and Officer Williams gave an overview of the Community Oriented Policing program, problem solving, the SARA Model, neighborhood services goals, and the analysis triangle. These programs promote proactive problem solving and police-community partnerships to address problems of crime, fear of crime, social disorder, and neighborhood decay. It is funded by a federal grant.

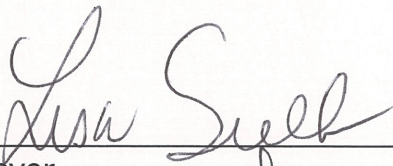
Town Manager's Report:

There was none.

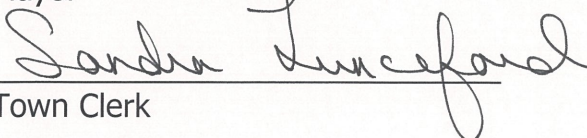
Public Comments:

There were none.

Meeting adjourned at 8:15 p.m.



Mayor



Town Clerk